

REMARKS

Applicants request reconsideration and allowance in view of the following remarks. Claims 1-9, 13-19, 26-38, 58, 59, and 62-79 are pending, with claims 1, 26, 62, and 71 being independent. Claims 80-84 have been cancelled without prejudice or disclaimer of subject matter. No new matter has been introduced.

Selgas in view of Slemmer Rejections

Claims 1-9, 13-19, 26-38, 58, 59, and 62-79 were rejected as being unpatentable over Selgas (U.S. Patent Number 6,571,290) in view of Slemmer (U.S. Publication Number 2002/0069284). Applicants respectfully request reconsideration and withdrawal of this rejection because neither Selgas, Slemmer, nor a proper combination of the two, describe or suggest the subject matter of independent claims 1, 26, 62, and 71, as discussed below.

Claims 62-79

With respect to claims 62-79, although the final Office Action lists claims 62-79 as being rejected over Selgas in view of Slemmer, the final Office Action does not substantively address many features of claims 62-79. Rather, the final Office Action merely indicates that claims 62-79 "contain features similar to the above-recited features of claims 1-9, 13-19, 26-38, 58, and 59" and are "rejected under the same rationale." Office Action of March 12, 2008 at page 18. However, the features of claims 62-79 differ significantly from those of claims 1-9, 13-19, 26-38, 58, and 59 and, thus, have not been addressed in the final Office Action. Applicants submit that the failure to address the features of claim 62-79 is improper and respectfully request that Examiner Nguyen address the features of claim 62-79 in a new Office Action or indicate that claims 62-79 are allowed.

For example, independent claims 62 and 71 recite, *inter alia*, accessing, at the host node, host policy information including at least one host network connection performance rule, using the first configuration history information, the second configuration history information, and the host policy information to determine whether performance statistics including the first and second performance statistics associated with the network connections between the host node and the first and second client nodes satisfy the network connection performance rule, and, if it is determined that the performance statistics associated with the network connections between the

host node and the multiple client nodes fail to satisfy the network connection performance rule, modifying the at least one host network configuration parameter used to establish the network connections between the host node and the first and second client nodes. Applicants submit that at least these features have not been addressed in the final Office Action and are not seen in the Selgas and Slemmer references.

For at least these reasons, Applicants respectfully request reconsideration and withdrawal of the rejections of independent claims 62 and 71 and their dependent claims.

Claims 1-9, 13-19, 26-38, 58, and 59

With respect to independent claim 1, Applicants submit that the cited art fails to describe or suggest at least accessing configuration history information describing performance statistics including a total number of connections the client node has attempted with the host node, a total number of connections the client node has established with the host node, an individual session length of a connection between the client node and the host node, and an average session length of connections between the client node and the host node, accessing policy information including a desired network connection performance rule, the desired network connection performance rule relating to the total number of connections the client node has attempted with the host node, the total number of connections the client node has established with the host node, the individual session length of the connection between the client node and the host node, and the average session length of connections between the client node and the host node, and using the configuration history information along with the policy information to determine whether the performance statistics including the total number of connections the client node has attempted with the host node, the total number of connections the client node has established with the host node, the individual session length of the connection between the client node and the host node, and the average session length of connections between the client node and the host node fail to satisfy the desired network connection performance rule, as recited in independent claim 1.

Accordingly, for at least these reasons, Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 1 and its dependent claims.

Independent claim 26, although different in scope from claim 1, includes features similar to those discussed above with respect to claim 1. Therefore, for at least the reasons presented

above with respect to claim 1, Applicants respectfully request reconsideration and withdrawal of the rejection of independent claim 26 along with its dependent claims.

Conclusion

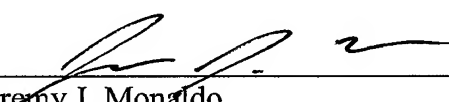
It is believed that all of the pending issues have been addressed. However, the absence of a reply to a specific rejection, issue or comment does not signify agreement with or concession of that rejection, issue or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this reply should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this reply, and the amendment of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment.

Applicants submit that all claims are in condition for allowance. Please apply any charges or credits to deposit account 06-1050.

Respectfully submitted,

Date: _____

5/12/2008



Jeremy J. Monaldo
Reg. No. 58,680

Fish & Richardson P.C.
1425 K Street, N.W.
11th Floor
Washington, DC 20005-3500
Telephone: (202) 783-5070
Facsimile: (202) 783-2331